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REGULATION

## DELEGATION OF AUTHORITY

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## 1. GENERAL

Sound administration of an organization requires that authority be delegated in such manner that the proper exercise of the authority delegated will ensure the complete and effective fulfillment of functional responsibility.

## 2. RESPONSIBILITIES

- a. Officials delegating authorities are responsible for ensuring that delegations are effected:
  - (1) In a manner which will satisfy the requirements of law and applicable regulations.
  - (2) With sufficient clarity and precision to foster decisive and efficient management.
  - (3) By an instrument of delegation which will reach the attention of all personnel who will be concerned with, or will take action based on, the authorities when they are exercised.
- b. Officials exercising authorities delegated to them shall evidence the exercise of their authorities in accordance with the provisions of this Regulation.

## 3. TYPES OF AUTHORITIES

There are three general types of authorities which are assigned descriptive names as follows:

## a. ORGANIZATIONAL AUTHORITIES

Organizational authorities are the normal, routine authorities vested in the position of the head of each Agency component which are necessary to the fulfillment of the functional responsibilities assigned to that component.

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The authorities specifically delegated to, or inherent in, the functional responsibilities assigned to an Agency component may be exercised by any individual in the position of head of the component. Organizational authorities may normally be redelegated unless redelegation is prohibited by law or regulation.

b. PERSONAL AUTHORITIES

Personal authorities are special authorities which are delegable to an individual by name for the performance of functions which are not inherent and do not necessarily relate to his organizational position. Such authorities are not redelegable and remain with the individual, even though he changes organizational position, until rescinded or until the employment of the individual is terminated. An example of a personal delegation of authority is that of Fair Employment Officer.

c. TECHNICAL AUTHORITIES

Technical authorities are authorities which are delegable to an individual in relation to or as a result of the position which he occupies. Such authorities may not be redelegated and may only be exercised by the individual to whom they have been delegated, and only so long as he occupies the position held at the time of the delegation. The delegation and exercise of technical authorities must be evidenced in writing since the determinations resulting therefrom constitute the legal basis for the actions taken. Technical authorities include, but are not limited to:

- (1) authority to approve and authorize the obligation and expenditure of funds,
- (2) authority to negotiate and sign procurement and personal services contracts, and
- (3) authority to authorize travel and approve travel orders.

4. METHODS OF DELEGATION

- a. Delegations of authority in CIA affecting more than one of the Major Components (Offices of the Deputy Directors and the Offices of Communications, Personnel, and Training) shall usually be accomplished by one of the following methods:

- (1) General organizational authorities, and those authorities required by law and regulations shall usually be set forth in the Agency regulatory system in Category 1 - Organization.

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- (2) Specific authorities prescribed for the conduct and control of particular Agency activities shall be set forth in Agency regulatory issuances specifically governing the conduct and control of such activities.
  - (3) Authorities limited in effect and interest to only a few Agency officials may be accomplished by a memorandum of delegation with copies provided to only those officials directly concerned.
- b. Delegations of authority which are strictly internal to any one of the Major Components of CIA may be set forth:
- (1) in intra-office issuances if they involve functions of more than one of the Operating Officials, Chiefs of Senior Staffs and Area Divisions of the Deputy Director (Plans); Chiefs of Offices of the Deputy Director (Administration), and Assistant Directors of the Deputy Director (Intelligence); and those officials reporting directly to the Director of Training, Assistant Director for Communications, and Assistant Director for Personnel
  - (2) by memorandum if the authorities delegated are internal to the component of any one of the Operating Officials named above
  - (3) verbally if the authorities delegated are internal to any individual unit subordinate to any one of the Operating Officials named above.

The selection of the appropriate method shall be based upon the importance of the authority and permanence of the delegation and the number of personnel or officials who should be made aware of the delegation.

##### 5. EVIDENCES OF THE EXERCISE OF AUTHORITY

- a. The exercise of "technical authorities" and certain significant organizational and personal authorities must be evidenced by the execution of a proper document over the full identifiable signature and title of the official exercising the authority.
  - b. All persons performing acts pursuant to "technical authorizations" shall ensure that the authorization to so act is properly evidenced in writing.
  - c. The mere recitation that action was taken, in the exercise of a "technical authorization," by a subordinate official "by direction" of the Chief is not evidence that the Chief exercised the judgment or action required of him, and such an action cannot be accepted in connection with the delegation or exercise of "technical authorities."
- (1) Oral or telephonic assurance by a subordinate that approval or certification has been granted by the Chief or principal who is authorized to act cannot be accepted. Any individual who takes action upon such assurance is fully responsible for the propriety and adequacy of such action.

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- (2) Oral or telephonic approval by the Chief or principal authorized to act may be accepted in case of emergency and must subsequently be supported by a properly executed written document. The officer who authorizes such action is fully responsible for the propriety of the action he authorizes, and shall ensure that a properly executed written document is forwarded immediately to the individual taking the action so authorized.
- (3) Individuals acting on oral or telephonic certification or approval should prepare a memorandum for the record setting forth all pertinent details of the conversation as interim authority, and shall ensure that formal written authorization is received.

#### 6. ACTIONS BY DESIGNEES

Where Regulations grant a "technical authority" to a principal "or his designee," the authority may be exercised by such a designee only if he has been formally designated for this purpose.

- a. The official must set forth in writing the specific authority delegated to the designee and prescribe any limitations placed on the exercise of the authority so delegated.
- b. Copies of such delegations shall be distributed to all individuals who will be required to accept or act upon the authority of the designee.

#### 7. RATIFICATION OF PRIOR ACTIONS

Ratification of an unauthorized act may be accomplished only by the official who has been delegated the "technical authority" to authorize and perform the act in the first instance provided he still has the power to do so at the time of ratification.

- a. One who has been delegated a "technical authority" to perform an act himself but without authority to redelegate the performance to others cannot ratify such acts when done by another in his name. Such an action must be referred for ratification to the official having the basic redelegable authority.

#### 8. ACTIONS BY DEPUTIES

- a. A Deputy is the formally designated alternate principal.
- b. When the principal is available for duty, a Deputy may exercise the authorities vested in the position of the principal subject to such limitations as the principal may stipulate. In the performance of these functions, the Deputy shall signify his authority by use of the title "Deputy."

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- c. When the principal is not available for the action required, a Deputy may exercise all authorities vested in the position of the principal without limitation. At such time as the Deputy acts in lieu of the principal in the exercise of authorities vested in the office of the principal, he shall sign in full identifiable signature as "Acting Chief" or other similar words as may be appropriate.
- d. Personal authorities delegated to the principal may never be exercised by the Deputy either in his capacity as Deputy or while he is "Acting Chief."
- e. When the principal is not reasonably available for duty and there is no appointed Deputy, the authorities vested in the position of the principal cannot be exercised until an "Acting Chief" has been properly designated by the publication of an appropriate regulatory issuance.

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